

**Abstract of the Honor Council**  
**Case 26, Spring 2010**  
**April 23, 2010**

**Members Present:**

Hilary Baker-Jennings (presiding), Austin Edwards (clerk), Matthew Diasio, Melissa Fwu, Adam Hartman, Michael Matson, Travis Smith, Lemuel Soh, Ted Wieber, Jessi Litman (observing)

**Ombuds:** Becca Arriaga

**Letter of Accusation:**

The Honor Council received a letter accusing Student A, Student B and Student C of plagiarizing and unauthorized collusion on a final paper for an upper level BIOS course.

**Evidence Submitted:**

- Letter of Accusation
- Student A's written statement
- Student B's written statement
- Student C's written statement
- Course Syllabus
- Student A's final paper
- Student B's final paper
- Student C's final paper
- Student A Materials and Methods Draft
- Student B Materials and Methods Draft
- Student C Materials and Methods Draft
- Professor Deposition
- Expert Witness Deposition

**Also Available:**

- Papers and Drafts from Student B and C's lab group
- Sample papers from class
- Professor Deposition regarding Student A
- Student A's Materials and Methods draft emailed to Professor
- Screenshot of Student A draft submission
- Emails between professor, Student A and Student C
- Emails sent by Student C
- Student A email and Materials and Methods draft to Student C
- Student B email and attachment to group
- Student A emails and attachments to Student C
- Student C emails and attachments to group
- Deposition from Lab Group member 1
- Deposition from Lab Group member 2

## **PLEA AND TESTIMONY FOR STUDENT A:**

### **Plea:**

Student A pled “not in violation.”

### **Testimony:**

Student A said that the evidence proves that she did not have access to Student C’s final paper, only her draft. She said that she looked at Student C’s graded draft in order to retain what is important to include in the final paper based on the professor’s comments, not to plagiarize. She said she looked at Student C’s draft during a meeting with the lab group in a computer lab. Additionally, she said that she did not tell the professor that she had discussed the paper while writing her own draft or that she inserted “things” from Student C’s paper into her own. She said that she had data from Student C open on her computer, but this is allowed because data is allowed to be shared. Because she had been looking at Student C’s paper during a meeting with the lab group, other members would have seen if she was working on her paper while talking with Student C.

Student A said that she did not have an electronic copy of Student C’s draft, only a paper copy.

Student A said that she received an email from Student C with Student C’s drafts attached, but she did not open the attachments. Student A said that she only used Student C’s graded draft to see the comments from the professor, and the comments from the professor on the drafts are usually very general. Student A said that she did not use her own comments from the professor because she had lost her graded draft. She only looked at Student C’s graded draft a few days before the final paper was due.

When asked about comments she made in an e-mail to Student C and other lab group members concerning changes made to her draft, Student A said she was talking about data. Student A said that she and other group members did not communicate much after the lab sessions ended.

Student A said that she did not ever have an electronic copy of Student C’s draft and that she only looked at Student C’s graded copy of the draft in her presence during the meeting in a computer lab. Student A said that she asked Student C to explain some comments that the professor made on Student C’s draft. Student A said that questions she asked of Student C were comments concerning certain numbers and data in the paper. She said that all of the collaboration concerning the lab was in the last few days before the final paper was due.

Student A said that she got the subheadings for her paper from the online lab manual. She said that the organization in her paper came only from the lab manual. She said also said that there are only so few ways to say certain scientific acronyms and that using the same acronyms or scientific terms as another student is not evidence for plagiarism.

Student A said that she made the same grammatical and factual errors in her materials and methods section of her draft as in the final paper because she lost her graded draft that contained comments from the professor. She said that she did not make any additional changes to her draft before emailing it to the professor and submitting it to the Honor Council as evidence, as evidenced by the screenshot. She said that she copied the original draft into a new document a few days before it was due, and changed, edited and added to it in order to complete the final paper. Student A said that she did not have the final draft of her paper open while she was looking at Student C's draft.

Student A said that she did not take the professor's honor code policy to mean that she could not look at another student's draft or paper. She said that she took the policy to mean that she could not use ideas and words from another student's paper as her own.

Student A said that the wrong units in her final paper, which was the same mistake that the other students made, come from her discussions with other group members concerning the data for the class. She said that she took notes during the discussion of the data for the class.

#### **PLEA AND TESTIMONY FOR STUDENT B:**

##### **Plea:**

Student B pled "in violation."

##### **Testimony:**

Student B said she did not receive any of student C's versions of her paper, including her draft or final version. Student B said that she did not receive Student A's paper either. She said that the similarities between the papers from the students stem from the lab manual and the data from the class. She said that she did not plagiarize from anyone else's paper. She said that the changes made between her initial and final drafts stemmed from the comments made by the professor on her initial draft. She said that she pled "in violation" because she sent out her final paper to other students, and that was against the honor code policy in the class.

Student B said that the students in the class had to write the rough draft well before the class was over. They wrote the rough drafts before many of the procedures that needed to be included in the final draft had been completed.

Student B said that the organization in her draft came from a paper listed on the website of the professor as a resource for everyone to use. She said that the organization in her final was different because the professor made several comments concerning the organization of the paper, including suggestions to make subsections for certain sections in the draft.

Student B said that the professor sent out a general e-mail to the class that gave hints for improving the paper. She said that she also used this e-mail to change the organization between the draft and the final paper. The professor also suggested that students use an on-line source as a reference for organizing their papers.

Student B said that she also organized her paper chronologically based on the order in which the experiments were done in the class. She said that all of the titles for the sections in her final paper came from her rough draft or the course lab manuals.

Student B points out that the professor makes accusations concerning inconsistencies between the titles of sections in her draft and final papers. She said that she made these changes based on the comments the professor made on her draft. She also said that similar comments on the scientific terms used in her draft prompted her to change these terms for the final paper.

Student B went through and explained where the title of each section came from, either from the lab manual, or from the comments made by the professor on her draft.

Student B went through each accusation made by the professor outlining the similarities in the final papers of the three students and gave explanations for each one. Student B said that some of the changes made in the text of the paper, between the draft and the final paper, were based on errors that he saw in his draft and changed based on comments made by the professor or from looking at the lab manual and checking the methods in her draft.

She said that the way she called one of the methods in her final paper, which is similar to the term used by the other students and noted by the professor, came from the terminology used in lab as well as the nature of the method. She said that she used this term with Student C regularly, as they were lab partners and worked together throughout the semester.

Student B said that because she used the correct temperature in a step of one method, while the other accused students used incorrect temperatures, this is evidence that she did not plagiarize. Student B said that there are only so many ways to write a scientific paper, especially the materials and methods section of a paper, and that similarities stem from this. She also pointed out that another professor, from whom the Council had requested an expert deposition, reiterated the point that similarities between students could be based on the nature of the writing of a scientific paper.

Student B pointed out that some of the similarities that the professor pointed out between her final paper and the final paper from Student C were contained within differently titled sections, so direct copying did not occur. Additionally, Student B pointed out that the order and names of the sections in her and Student C's sections are very different.

Student B said that the lab group, including Student B, Student C and two other students not involved in the case, had the same incorrect number, as pointed out by the professor in the letter of accusation.

Student B said that she had no knowledge that Student C sent out her draft or final to the group. She said that she never looked at a hard copy or electronic copy of Student C's draft or final paper. She said that she never saw any e-mails from Student A. Student B said that the group had discussed their results section to share the data.

Student B said that she met with her group and that Student A was at the same meeting. She remembers Student A and Student C discussing the paper on a low-level, including the discussion of general concepts about the methods, materials and data for the paper. She said that she did not remember the specifics of the conversation between Student A and Student C because they were at a different table.

Student B mentioned that the professor told her to split one subsection in her draft into two sections, which is mentioned by the professor in the accusation as suspicious.

Student B said that they mentioned the commercial name much later in her paper after the name of an antibody because that was how it was done in the lab manual, which she used extensively in her methods and materials.

Student B said that she used the term "open sunlight" instead of just "sunlight" in her paper because they lab required that they put the samples outside rather than next to a window. Additionally, she pointed out that the lab manual mentioned the word "open" in reference to lighting the sample.

Student B said that the professor outlined how to write the materials and methods section of the paper in class.

Student B said that she sent out her paper out to the other group members, including Student A, in the early morning before the paper was due. She said that she did this to see if any of the other members had any ideas on how to acknowledge a certain source within the paper. She said that she did not intend to let anyone copy her draft by sending the e-mail. She said that she turned her paper in a day early, and that to her understanding, Student A and Student C turned their papers in early as well.

Student B said that she did not think that discussing specific terms of the methods with other students was a violation of the honor code for the class. She said that she thinks that the similarities between the papers of all of the students can be completely explained by the use of the lab manual. Additionally, she said that she has no reason to believe that another student used her paper to complete their own.

## **PLEA AND TESTIMONY FOR STUDENT C:**

**Plea:**

Student C pled “in violation.”

**Testimony:**

Student C said she pled in violation because she let other students look at her draft. She said that the paper she wrote contains her own ideas and words and that her final paper logically follows from her draft. Student C said that she worked extensively with Student B in lab, as they were partners.

Student C said that she only looked at the data and analysis used by her lab group which they had gotten from another lab group, which was sanctioned by the honor code policy. Student C said there was no intent to cheat or plagiarize from other students.

Student C said that the accused students never had any copies of the other students’ papers, except by Student B, who sent out her final paper in the early morning of the due date.

Student C said that she sent the draft of her materials and methods to Student A before the draft was due. She said that her draft and Student A’s draft did not look similar.

Student C said that when the lab group was meeting and Student A had Student C’s graded materials and methods draft, Student A had her own paper open on a computer in front of her. Student C said that Student A was working on her final paper while she was looking at Student C’s draft. She said that she was always present when Student A was looking at her draft. Student C said that she cannot remember whether Student A asked for her draft or if she offered it to Student A. She said that it is likely that the similarities between her final paper and Student A’s final paper stem from Student A’s use of the professor’s comments on Student C’s paper.

Student C said that she turned her final paper in the earliest day possible around noon.

Student C said that she does not understand or know why Student B was accused, as any similarities between her paper and Student B’s paper are due to the fact that they worked together extensively.

Student C said that the professor had the class do plagiarism exercises online in order to learn how to correctly paraphrase and cite in papers.

Student C said that she did not open the attached copy of Student B’s final paper on the day the paper was due.

**2<sup>nd</sup> Testimony from Student A:**

Student A said that she never opened the electronic copy that student C had sent her. Student A again said that she did not have a copy of her final paper open up on her computer while she had Student C's draft.

Student A said that while she did receive the e-mail from Student B with her attached final paper, she did not open it or look at Student B's final paper.

Student A said that the order of compounds in one step of the experimental methods was from the lab manual, not from Student B's final paper or from talking to Student B.

Student A said that she only looked at Student C's draft in order to see what was important in her own paper due to the professor's comments on Student C's draft. She said that she did not try to reproduce another student's work as her own. During her testimony, she went through Student C's commented draft and pointed out some things that she would have changed in her own draft because they actually pertained to hers. She said that the mental notes she made were not difficult. She said that she was not at a computer at all when she had Student C's draft. She said that she spent five or ten minutes with Student C's draft.

Student A said that she changed her wording of a method to Student C's wording because she thought it sounded better than her own.

### **2<sup>nd</sup> Testimony from Student B:**

Student B said that during the lab group's meeting in the computer lab when Student C gave Student A her draft, some of the other students might have had their laptops with them, but she couldn't remember for sure who had a laptop. She repeated that all the changes in her final paper were based off the professor's comments on her draft.

### **2<sup>nd</sup> Testimony from Student C:**

Student C said that Student A had her draft for the majority of the meeting in the computer lab, which was about an hour. She said that Student A had her paper open on a computer. Student C said she answered Student A's questions while Student A was working on her paper.

### **Verdict Deliberations:**

Council members believed that there was clear and convincing evidence that a violation occurred because the professor states, in the honor code policy of the class, that students should not share their drafts with one another.

Some members said that there is some evidence for plagiarism, but there is definitely evidence for the unauthorized sharing of the drafts and/or final papers because of the documentation of the e-mails sent between students, and the students' testimony.

Straw Poll #1: Is there clear and convincing evidence that a violation occurred?

Yes: 9  
No: 0  
Abstentions: 0

The Council then discussed whether or not Student A committed the violation. Members had concerns between the inconsistencies between Student A and Student C's testimonies. Members said that they thought Student A was in violation of the honor code based on the fact that she had Student C's draft.

Some members said that they consider the fact that, due to the testimony from Student A, since Student A changed her paper based on what she saw from Student C's draft, Student A was in violation of plagiarizing from Student C.

Other members said that they thought there was less evidence because there were not very many phrases changed between Student A's draft and final paper. Additionally, they said that the expert witness did not single out Student A's paper as suspicious.

Council members pointed out that the professor accused the students of many things that were changed between the draft and final papers, when these changes were made based on comments on their drafts, so we do not know exactly what changes Student A made based on the draft of Student C because the Council did not have Student A's graded draft.

Some council members said that the Council should not take one student's word over the other. Other council members pointed out that the story from the professor matched with Student C's story, so this is not just a case of "he said, she said".

Straw Poll #2: Is there clear and convincing evidence that Student A is "In Violation?"

Yes: 9  
No: 0  
Abstentions: 0

The Council then discussed whether or not Student B committed a violation. Council members said that there was clear and convincing evidence because she sent out her paper to other students, but not clear and convincing evidence that she copied off Student C's paper. Members said that this evidence was based on the students' testimonies.

Straw Poll #3: Is there clear and convincing evidence that Student B is "In Violation?"

Yes: 9  
No: 0  
Abstentions: 0

The Council then discussed whether or not Student C committed a violation. Council members said that there was clear and convincing evidence because she sent out her drafts of her paper to other students and let Student A look at her graded draft. Members said that this evidence was based on the students' testimonies.



Straw Poll #4: Is there clear and convincing evidence that Student C is “In Violation?”

Yes: 9  
No: 0  
Abstentions: 0

Straw Polls #1, #2, #3 and #4 were then made binding.

**Penalty Deliberations:**

Council members opened by discussing mitigating circumstances for Student A. Some members did not see any reason to mitigate, as the student was not completely cooperative. Other members were considering mitigating based on the nature of the violation, including the amount of the final grade for which this paper accounts, as well as the fact that there is some evidence for or against the amount of plagiarism that Student A committed.

A council member brought up a piece of evidence, which was an e-mail between Student A and Student C, in which Student A sent her draft to Student C. A member pointed out that the draft from this e-mail was very different from the draft presented. Some members thought that these circumstances were aggravating circumstances. A member said that the Council cannot consider this as the draft that Student A turned in to be graded, because the graded copy was lost and the Council cannot access it, so there is no way to know.

The Council then decided to postpone discussion of Student A and move on to penalty deliberations for Student B. Council members discussed mitigating circumstances for Student B. Members thought that she was completely cooperative, going through every point on the letter of accusation. A member pointed out that she had a logical response for every question concerning the similarities between her paper and other papers. Student B also brought in several pieces of relevant information and evidence before the hearing. No members saw any reason to aggravate.

Council members

Straw Poll #5: What is the appropriate penalty for Student B?

F in the course and 2 semesters of suspension: 0  
F in the course and 1 semester of suspension: 0  
F in the course: 0  
3 letter grade reduction: 0  
2 letter grade reduction: 0  
1 letter grade reduction: 0  
Letter of reprimand 8  
Abstentions: 1

The abstaining council member made sure that people were not voting this way simply because of precedent, and then other council members explained how they reached their decisions using the CPS.

Straw Poll #6: What is the appropriate penalty for Student B?

|                           |   |
|---------------------------|---|
| F in the course:          | 0 |
| 3 letter grade reduction: | 0 |
| 2 letter grade reduction: | 0 |
| 1 letter grade reduction: | 0 |
| Letter of reprimand       | 9 |
| Abstentions:              | 0 |

The Council then discussed mitigating circumstances for Student C. Some council members found the circumstances of Student C similar to the circumstances for Student B.

One member noticed that Student B sent out the draft of her results and discussions section to Student C a while before the paper was due. Members thought that this would change their minds concerning the earlier suggested penalty for Student B. Members thought that the act of sending out this section several weeks before the final paper was due was more serious. Members pointed out that Student B said that she had sent out the draft to share her data, and data-sharing was acceptable. Other members said that the draft included the discussions section, which was not allowed.

Straw Poll #7: What is the appropriate penalty for Student B?

|                           |   |
|---------------------------|---|
| F in the course:          | 0 |
| 3 letter grade reduction: | 0 |
| 2 letter grade reduction: | 1 |
| 1 letter grade reduction: | 4 |
| Letter of reprimand       | 1 |
| Abstentions:              | 3 |

Abstaining members questioned the intent of Student B sending out his results and discussions section. Most members agreed that the Council cannot determine the intent of her sending out her results section.

Members said that the professor was very blatant in their honor code policy, and since Student B violated, thus the Council should not mitigate as much on the nature of the violation. A council member said that sending out a copy of a draft to her group members for them to look at a few weeks before the paper was due was more serious than sending out a copy of her paper early in the morning the day it was due.

Some council members also pointed out that Student B sent out her rough draft, which is worth less of the total grade than the final paper, and thus they will be mitigating. One member restated that the student brought up this violation, and said that she sent it out so that other students could look at her graphs and charts. Other members said that it still contained written material, and so was a more serious violation.

Other members thought that because the professor had a stringent honor code policy, the student should be held to a higher standard. Other members disagreed and said that this should not influence the Council's decision.

Straw Poll #8: What is the appropriate penalty for Student B?

|                           |   |
|---------------------------|---|
| F in the course:          | 0 |
| 3 letter grade reduction: | 0 |
| 2 letter grade reduction: | 0 |
| 1 letter grade reduction: | 6 |
| Letter of reprimand       | 3 |
| Abstentions:              | 0 |

The Council then began discussion on an appropriate penalty for Student C.

Members said that they would be mitigating based on the nature of the violation and cooperation during the testimony. Other members said that the violation for Student C is a more active violation than for Student B, because Student A asked Student C questions about the paper and she answered them. Some members disagreed with this, and saw no difference in the nature of the violations.

A member said that Student C provided her draft with the full knowledge that Student A would use it to revise her final paper, and so the nature of the violations was different.

Straw Poll #9: What is the appropriate penalty for Student C?

|                           |   |
|---------------------------|---|
| F in the course:          | 0 |
| 3 letter grade reduction: | 0 |
| 2 letter grade reduction: | 2 |
| 1 letter grade reduction: | 5 |
| Letter of reprimand       | 0 |
| Abstentions:              | 2 |

Abstaining members said that they were deciding how egregious the nature of the violation was. One member stated that Student C said that she knew that Student A was using her draft and typing her own final paper, and will be mitigating less on the nature of the violation. A member said that they recognized that the violation was not malicious, but that she worked with Student A more actively. Members said that they would be mitigating based on the fact that Student C did not intend to violate the Honor Code.

A council member said that because Student C did not benefit from committing the violation, they will be mitigating based on the nature of the violation. Some members said that they do not differentiate between giving and receiving aid, while other members said they did.

Straw Poll #10: What is the appropriate penalty for Student C?

|                           |   |
|---------------------------|---|
| F in the course:          | 0 |
| 3 letter grade reduction: | 0 |

|                           |   |
|---------------------------|---|
| 2 letter grade reduction: | 5 |
| 1 letter grade reduction: | 4 |
| Letter of reprimand       | 0 |
| Abstentions:              | 0 |

Again, because members thought that the violation that Student B committed was lesser than the violation that Student C committed, they mitigated less.

There was discussion on whether members should look at the penalty given to Student B, or at honor code violation overall.

In order to reach the required two-thirds majority, two members said that they would be willing to vote down to a penalty of a 1 letter grade reduction.

Straw Poll #11: What is the appropriate penalty for Student C?

|                           |   |
|---------------------------|---|
| F in the course:          | 0 |
| 3 letter grade reduction: | 0 |
| 2 letter grade reduction: | 2 |
| 1 letter grade reduction: | 7 |
| Letter of reprimand       | 0 |
| Abstentions:              | 0 |

Some council members decided to mitigate on nature, one particularly for weight of the section of the assignment in question.

### **TRAVIS SMITH ASSUMED CLERK DUTIES AT THIS POINT**

At this point the Council resumed discussion of an appropriate penalty for Student A.

Council members first discussed mitigating circumstances. Council members said they were not going to mitigate on cooperation, because they believed that Student A had not given full and truthful disclosure. Some members said that they would mitigate on the nature of the violation, because the weight of the section of the paper that was in question was a small amount of the final course grade.

The council then discussed aggravating factors. A council member believed that Student A deceived the council. Another decided that Student A was not full and truthful in disclosure. A member brought up that the draft sent to the professor and the other draft sent from Student A to Student C might indicate deception because of the modification date, but it could not be proved which, if any, changes were made because the graded draft was lost. One member brought up that Students A and C gave testimony that conflicted in specific details, such as Student A using a computer when looking at Student C's draft and the length of time that Student A had Student C's draft. A member pointed out that Student A's testimony explicitly contradicted an e-mail in the hands of the Council. Several council members also brought up that Student C and the professor

had very similar accounts regarding whether Student A had her own paper open when using Student C's draft, and Student A's testimony contradicted this account.

Straw Poll #12: What is the appropriate penalty for Student A?

|  |   |
|--|---|
| F in the course and 3 semesters of suspension  | 1 |
| F in the course and 2 semesters of suspension: | 3 |
| F in the course and 1 semester of suspension:  | 3 |
| F in the course:                               | 1 |
| 3 letter grade reduction:                      | 0 |
| 2 letter grade reduction:                      | 0 |
| 1 letter grade reduction:                      | 0 |
| Letter of reprimand                            | 0 |
| Abstentions:                                   | 1 |

A council member was particularly concerned about why Student A could not describe an unnecessary change she made that switched what had been in her draft to exactly the wording Student C used. A council member disagreed on the validity of this point because the evidence is not strong enough to determine when some changes were made. There was debate regarding the nature of the violation. Some members believed that the violation was one of plagiarism; others felt that plagiarism could not be proven, but use of unauthorized aid could be.

Straw Poll #13: What is the appropriate penalty for Student A?

|  |   |
|--|---|
| F in the course and 3 semesters of suspension  | 1 |
| F in the course and 2 semesters of suspension: | 3 |
| F in the course and 1 semester of suspension:  | 5 |
| F in the course:                               | 0 |
| Abstentions:                                   | 0 |

A member pointed out a place that Student A had changed an entire paragraph between her first draft and final draft to match Student C's with only one datum different, and that this indicated plagiarism had occurred.

Straw Poll #14: What is the appropriate penalty for Student A?

|  |   |
|--|---|
| F in the course and 3 semesters of suspension  | 1 |
| F in the course and 2 semesters of suspension: | 7 |
| F in the course and 1 semester of suspension:  | 1 |
| F in the course:                               | 0 |
| Abstentions:                                   | 0 |

Some council members changed their votes based on deceit of the council in light of the fact that Student A's testimony conflicted with Student C's and the statement from the professor about whether or not Student A was working on her paper while looking at Student C's graded draft. Council members also believed that the differences between Student A's draft and final paper, and the changes made to more closely match Student C's draft, were evidence of plagiarism.

Straw Polls 8, 11, and 14 made binding.

The Honor Council thus finds Students A, B, and C “In Violation” of the Honor Code and recommends that Student A receive an F in the course and 2 semesters of suspension, that Student B receive a 1 letter grade reduction in the course, and that Student C receive a 1 letter grade reduction in the course. A Prior Violation Flag is also attached to their records.

Time of testimony and deliberations: 8 hours, 9 minutes

Respectfully submitted,  
Austin Edwards  
Travis Smith  
Clerks